

REMARKS

Before entry of this Amendment, claims 1-4 were pending in the application. After entry of this Amendment claims 1-4 remain pending under examination. Claims 5-13 have been withdrawn. The number of total claims has not been increased, and the number of independent claims has not been increased beyond the number for which payment previously had been made.

Applicants have carefully considered the Examiner's Action of August 10, 2005, and the references cited therein. The following is a brief summary of the Action. Claims 5-13 were withdrawn from further reconsideration as being drawn to a nonelected invention. Claims 1-4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Examiner's Official notice in view of Goodman (USP 3,542,189 or 3,267,633) and Cosier et al. (USP 3,756,399).

Applicants respectfully traverse the rejection of the claims for the reasons explained below.

The Action relies on the two Goodman patents for the proposition that it is well known to package rinse and pre-rinse assemblies in a vacuum skin package in their fully assembled form. However, the Action's reliance on the two Goodman patents for this proposition is misplaced. Neither Goodman reference discloses a complete pre-rinse assembly in a vacuum skin package in a fully assembled form. To the contrary, Goodman '633 shows only the spray head element in such a package, and Goodman '189 shows only a kitchen faucet. Goodman '189 fails to disclose any component of a pre-rinse assembly and fails even to show all of the elements of the kitchen faucet, as the lead lines to the valves are not provided. Neither of the two Goodman patents

discloses a package containing the tension spring and the steel hose of a pre-rinse assembly. Thus, the two Goodman references teach the person of ordinary skill that pre-rinse assemblies in a vacuum skin package are not provided in their fully assembled form.

Cosier et al teaches that when shrink wrap packaging a circuit board with elements projecting irregularly above the surface of the circuit board, one employs two sheets of polyethylene film, an inner sheet of slightly smaller footprint and relatively cooler (at room temperature) than the outer sheet. As explained at Cosier et al, column 5, lines 36-38, the two integrally bonded cover sheets 17 and 18 is substantially double the thickness of one of the sheets,” The printed circuit boards that Cosier et al desires to package are light weight in comparison to the pre-rinse assembly that is the concern of the present invention. Cosier et al desires inner cover sheet 17 to engage the backing member about substantially the entire periphery of the article. Cosier et al column 2, lines 58-62 and column 4, lines 33-38. Thus, the Cosier et al inner cover sheet 17 is essentially a second sheet of shrink wrap material. Importantly to Cosier et al, the cool inner cover sheet 17 is formed of a polyethylene film that drapes over the components that are raised above the circuit board. In this way, Cosier et al need not be concerned with the particular configuration and arrangement of components on the circuit board.

Thus, the Cosier et al inner cover sheet 17 is not the rigid shell that is required by claims 1-4. Moreover, the Cosier et al inner cover sheet 17 is not the rigid shell configured to cover the spring and hose that is required by claims 1-4. Nor is there any suggestion in any of the references to employ a rigid shell in the manner of claims 1-4.

The Early patent for example pertains to a blister package, which Goodman'633 distinguishes from the shrink-wrap or skin-wrap packages that concern the Goodman patents. See Goodman'633 column 3, lines 38-45.

As to claim 2, none of the references even recognizes the problem solved by pre-installing the flexible steel hose inside the tension spring so that it is ready for the installer, is shielded by the rigid shell 83 and takes up less space in the package. See page 15, lines 12-17 of the present application for example. Thus, none of the references even suggests configuring the package with the flexible steel hose at least partially surrounded by a portion of the tension spring as required in claim 2 and as shown in Figs. 6 and 7A for example.

As to claim 3, Cosier et al neither suggests nor discloses use of a polyvinylchloride rigid shell and in fact steers the skilled artisan in the entirely different direction of using a second sheet of polyethylene film that drapes over the components that are to be shrink-wrapped.

Applicants therefore respectfully submit that claims 1-4 are patentable under 35 U.S.C. § 103(a) over the Examiner's Official notice in view of the Goodman patents and further in view of Cosier et al.

Applicants respectfully request reconsideration and reexamination of claims 1-4, as presented herein, and submit that these claims are in condition for allowance and should be passed to issue.

If any fee or extension of time is required to obtain entry of this Amendment, the undersigned hereby petitions the Commissioner to grant any necessary time extension

and authorizes charging Deposit Account No. 04-1403 for any such fee not submitted herewith.

Respectfully submitted,

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